

REMARKS

Applicants respectfully request reconsideration of this application, as amended.

Applicants note with appreciation the indication of allowable subject matter within Claims 3 and 15–36, and Applicants would like to thank the Examiner and his supervisor for the courtesies extended to Applicants' representative during the interview conducted on February 22, 2006.

Claims 1, 2, 4–14 and 37–48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shiiyama (US 6,247,009). Claim 33 has been canceled without prejudice. Independent Claims 1 and 37 have been amended to more clearly recite certain features of the claimed invention. Independent Claims 15 and 25 have been amended for clarity and not for reasons related to patentability. Dependent Claims 2, 4, 10, 14, 16–18, 23, 26, 28–30, 35, 38–41 and 43–48 have been amended to comport with amended Claims 1, 15, 25 and 37. Thus, Claims 1–32 and 34–48 are pending.

Claim 1 is directed to a computer-implemented information retrieval method and recites, as amended, "accepting a user input that selects or de-selects at least one of a plurality of data groupings within a filter tree table, said data groupings being associated with a plurality of data items in an unfiltered data table," "generating a filtering query, including at least one query operator, based on the selected data groupings," "running said filtering query against said unfiltered data table," "receiving a plurality of filtered data items from said unfiltered data table in response to said filtering query," "populating a filtered data table with said plurality of filtered data items" and "displaying said filtered data table and said filter tree table." Claim 37 is directed to an information retrieval apparatus, and, as amended, recites similar subject matter. Applicants respectfully submit that Shiiyama fails to teach or suggest these features.

Shiiyama discloses an image data management system that searches an image storage unit for image data based on a "search condition" input by a user. *See*, e.g., Col. 13:28–30, Col. 14:18–20, Col. 15:10–11, etc. Initially, all of the image data within image storage unit 4 (i.e., unfiltered data) are presented as thumbnail images to a user, who "selects a thumbnail image similar to his or her desired image data" (Col. 9:29–31). The system acquires the selected thumbnail image's "image feature amount" from image management database 13, and then searches image feature index 9 for similar image data based on the selected thumbnail

image's "image feature amount" (Col. 9:31–36). The search results (i.e., filtered data) are sorted based on "evaluation values," calculated based on search matching rates and user's votes, and are then displayed to the user as thumbnail images (Col. 9:39–43).¹ Alternatively, the user may initially input a search word, rather than selecting a thumbnail image, as the search condition. However, subsequent processing and selection of thumbnail images by the user remains the same. *See, e.g.,* Col. 10:32 to Col. 11:57.

Shiiyama simply fails to disclose a filter tree table with selectable data groupings. Instead, Shiiyama's "search condition" is either the selection of a thumbnail image or the inputting of an initial search word. Since Shiiyama fails to disclose the claimed selectable data groupings, it follows that Shiiyama also fails to teach or suggest accepting an input from a user to select or de-select at least one of the data groupings, as recited by Claims 1 and 37. Similarly, Shiiyama fails to teach or suggest generating a filtering query based on the selected data groupings, as recited by Claims 1 and 37. And, of course, Shiiyama fails to teach or suggest displaying a filter tree table.

Consequently, Shiiyama fails to disclose all of the features recited by Claims 1 and 37. Accordingly, Claims 1 and 37 are allowable over the cited references. Claims 2 and 4–14, depending from Claim 1, and Claims 38–48, depending from Claim 37, are also allowable, at least for the reasons discussed above.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135.

¹ The user then (1) begins a new search, (2) ends the search by selecting a thumbnail image or (3) refines the search by selecting a thumbnail image and initiating another iteration of the search process described above. *See, e.g.,* Col. 9:54 to Col. 10:19.

Respectfully submitted,

Rothwell, Figg, Ernst & Manbeck P.C.

March 21, 2006

1425 K Street, N.W., Suite 800
Washington, D.C. 20005
(202) 783-6040 (voice)
(202) 783-6031 (fax)

2589-101 Response

By: _____

A handwritten signature in black ink, appearing to read "J. Hynds", written over a horizontal line.

Joseph A. Hynds
Reg. No. 34,627

Adam M. Treiber
Reg. No. 48,000